

8 for the year ending December thirty-first of the previous year, show-  
9 ing the money on hand, how invested, all moneys received and paid out.

[C. C. 4096, 4105.]

1     **SEC. 16. City marshal.** Service by any member of the police de-  
2 partment as city marshal shall not deprive him of any rights under  
3 this chapter. In any matter in which said city marshal shall be  
4 individually interested and which requires the action of the board  
5 of trustees of the policemen's pension fund, he shall not act as a  
6 member of said board, but the mayor of the city shall act with the  
7 other two (2) trustees of the board with respect thereto. Upon the  
8 termination of his term as city marshal, he shall regain the rank he  
9 held in the police department at the time of his appointment as city  
10 marshal.

[C. C. 4104.]

Approved April 4, A. D. 1923.

## CHAPTER 262

### FAILURE OF CONSIDERATION OF WRITTEN CONTRACTS

H. F. 204

AN ACT to amend, revise and codify section fifty-eight hundred ninety-seven (5897) of the compiled code of Iowa, relating to the consideration of written contracts.

*Be it enacted by the General Assembly of the State of Iowa:*

That section fifty-eight hundred ninety-seven (5897) of the compiled code of Iowa is amended, revised and codified to read as follows:

1     **SECTION 1. Failure of consideration.** The want or failure, in whole  
2 or in part, of the consideration of a written contract may be shown  
3 as a defense, total or partial, except as provided in the negotiable  
4 instruments law.

[C. C. 5897, modified.]

Approved February 15, A. D. 1923.